

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69351 of 2023

Arising Out of PS. Case No.-84 Year-2021 Thana- TETERHAT District- Lakhisarai

Gajendra Singh Son Of Late Bharat Singh Quarter No.1651 Sector 9d Street
No. 38 Bokaro Steel City, Bokaro, Jharkhand

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, one co-accused Vijay Sharma is alleged to have been intercepted by the police with a Bolero pick-up vehicle from where, 784 liters of English liquor was recovered. The petitioner is said to have been indulged in illicit trade of liquor.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He is not named in the FIR. His name has been transpired in this case by virtue of supervisory authority only on the basis that, the



wrapper on the recovered wine is related to the company of which, this petitioner is one of the directors. The petitioner's company is functioning in Jharkhand, where wine sale is legal. Moreover, similarly situated co-accused Anil Singh @Anil Kumar Singh, who is one of the directors of the said company, has already been granted bail by a co-ordinate Bench of this Court vide order dt. 14.10.2022 passed in Cr. Misc. No. 50257 of 2022. It is further submitted that the petitioner is languishing in judicial custody since 11.8.2022.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period of the petitioner, this court is inclined to enlarge him on bail. The above named petitioner is directed to be released on bail in connection with Tetarhat P.S. Case No. 84 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Special Court-II, Excise Act, Lakhisarai.

(Sunil Kumar Panwar, J)

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